



State of West Virginia
 Department of Administration
 Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

Solicitation

NUMBER
 DEFK13004

PAGE
 1

ADDRESS CORRESPONDENCE TO ATTENTION OF
 TARA LYLE
 304-558-2544

RFQ COPY
 TYPE NAME/ADDRESS HERE

Middletown Tractor Sales
 2050 Boyers Drive
 Fairmont, WV 26554

DIV ENGINEERING & FACILITIES
 ARMORY BOARD SECTION

1707 COONSKIN DRIVE
 CHARLESTON, WV
 25311-1099 304-341-6368

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DATE PRINTED

09/13/2012

BID OPENING DATE:

09/24/2012

BID OPENING TIME 1:30PM

LINE	QUANTITY	UOP	QAT NO	ITEMNUMBER	UNIT PRICE	AMOUNT
0001	4	EA		765-87		
				SUB-COMPACT DIESEL TRACTOR		
0002	4	EA		020-68		
				MID-MOUNT MOWER		
0003	4	EA		968-72		
				SNOW DOZER BLADE		

RECEIVED
 2012 SEP 24 AM 9:56
 WV PURCHASING DIVISION

THE WEST VIRGINIA PURCHASING DIVISION FOR THE AGENCY, WV DIVISION OF ENGINEERING AND FACILITIES, IS SOLICITING BIDS TO PROVIDE (4) FOUR SUB-COMPACT DIESEL TRACTORS WITH (4) FOUR MID-MOUNT MOWER AND (4) FOUR SNOW DOZER BLADE OR EQUAL PER THE ATTACHED SPECIFICATIONS.

- ATTACHMENTS INCLUDE:
1. INSTRUCTIONS TO VENDORS SUBMITTING BIDS
 2. GENERAL TERMS AND CONDITIONS.
 3. DEFK13004 SPECIFICATIONS.
 4. CERTIFICATION AND SIGNATURE PAGE.
 5. PURCHASING AFFIDAVIT
 6. RESIDENT VENDOR PREFERENCE (RVP) FORM.

SIGNATURE: *Phillip A. ...* TELEPHONE: 304-366-4690 (Ext. 242) DATE: 24 September 2012
 TITLE: Sales Consultant FEIN: 55-054-7175 ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO SOLICITATION, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

The bid should contain the information listed below on the face of the envelope or the bid may not be considered:

SEALED BID

BUYER: Tara Lyle (32)
 SOLICITATION NO.: DEEK13004
 BID OPENING DATE: 24 September 2012
 BID OPENING TIME: 01:30PM
 FAX NUMBER: 304-558-4115

In the event that Vendor is responding to a request for proposal, the Vendor shall submit one original technical and one original cost proposal plus N/A convenience copies of each to the Purchasing Division at the address shown above. Additionally, the Vendor should identify the bid type as either a technical or cost proposal on the face of each bid envelope submitted in response to a request for proposal as follows:

BID TYPE: Technical
 Cost

7. **BID OPENING:** Bids submitted in response to this Solicitation will be opened at the location identified below on the date and time listed below. Delivery of a bid after the bid opening date and time will result in bid disqualification. For purposes of this Solicitation, a bid is considered delivered when time stamped by the official Purchasing Division time clock.

Bid Opening Date and Time:

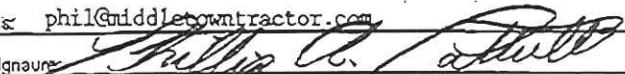
September 24, 2012 at 1:30 pm

Bid Opening Location:

Department of Administration, Purchasing Division
 2019 Washington Street East
 P.O. Box 50130,
 Charleston, WV 25305-0130

8. **ADDENDUM ACKNOWLEDGEMENT:** Changes or revisions to this Solicitation will be made by an official written addendum issued by the Purchasing Division. Vendor should acknowledge receipt of all addenda issued with this Solicitation by completing an Addendum Acknowledgment Form, a copy of which is included herewith. Failure to acknowledge addenda may result in bid disqualification. The addendum acknowledgement should be submitted with the bid to expedite document processing.
9. **BID FORMATTING:** Vendor should type or electronically enter the information onto its bid to prevent errors in the evaluation. Failure to type or electronically enter the information may result in bid disqualification.

EXHIBIT A

DEFK13004 - WV Army National Guard					
PRICING PAGE					
Item No.	Description	Model No. / Brand Name	Quantity	Unit Price	Extended Amount
Desired Item No. 3.1.1	2012 or newer, Sub-compact diesel tractor, Yanmar Model No. Sc2400 or equal, per the specifications. Delivery must be included in the bid price.	1026R John Deere	4 ea	\$10,092.37	\$ 40,369.48
Desired Item No. 3.1.2	Mid-mount mower, or equal, per the attached specifications. Delivery must be included in the bid price.	60-D 7-Iron John Deere	4 ea	1,809.14	7,236.56
Desired Item No. 3.1.3	Snow Dozer Blade, or equal, per the attached specifications. Delivery must be included in the bid price.	54FB	4 ea	1,155.24	4,620.96
Failure to use this form may result in disqualification				GRAND TOTAL:	\$ 52,227.03
Bidder / Vendor Information:					
Name:		Middletown Tractor Sales			
Address:		2050 Boyers Drive Fairmont, WV 26554			
Phone#:		304-366-4690 (Ext. 242)	Fax No.:		304-366-4698
Email Address:		phil@middletowntractor.com			
Authorized Signature:					

CERTIFICATION AND SIGNATURE PAGE

By signing below, I certify that I have reviewed this Solicitation in its entirety; understand the requirements, terms and conditions, and other information contained herein; that I am submitting this bid or proposal for review and consideration; that I am authorized by the bidder to execute this bid or any documents related thereto on bidder's behalf; that I am authorized to bind the bidder in a contractual relationship; and that to the best of my knowledge, the bidder has properly registered with any State agency that may require registration.

Middletown tractor Sales
(Company)

Phillip A. Crotto
(Authorized Signature)

Sales Consultant
(Representative Name, Title)

304-366-4690 (Ext. 242) 304-366-4698
(Phone Number) (Fax Number)

24 September 2012
(Date)

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

MANDATE: Under W. Va. Code §6A-3-10a, no contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and: (1) the debt owed is an amount greater than one thousand dollars in the aggregate; or (2) the debtor is in employer default.

EXCEPTION: The prohibition listed above does not apply where a vendor has contested any tax administered pursuant to chapter eleven of the W. Va. Code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Employer default" means having an outstanding balance or liability to the old fund or to the uninsured employers' fund or being in policy default, as defined in W. Va. Code § 23-2c-2, failure to maintain mandatory workers' compensation coverage, or failure to fully meet its obligations as a workers' compensation self-insured employer. An employer is not in employer default if it has entered into a repayment agreement with the Insurance Commissioner and remains in compliance with the obligations under the repayment agreement.

"Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form of business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

AFFIRMATION: By signing this form, the vendor's authorized signer affirms and acknowledges under penalty of law for false swearing (W. Va. Code §61-5-3) that neither vendor nor any related party owe a debt as defined above and that neither vendor nor any related party are in employer default as defined above, unless the debt or employer default is permitted under the exception above.

WITNESS THE FOLLOWING SIGNATURE:

Vendor's Name: Middletown Tractor Sales

Authorized Signature: *Phillip A. [Signature]* Date: 24 September 2012

State of West Virginia

County of Marion, to-wit:

Taken, subscribed, and sworn to before me this 24 day of September, 2012.

My Commission expires April 4, 2016.

AFFIX SEAL HERE

NOTARY PUBLIC *Carl [Signature]*



Purchasing Affidavit (Revised 07/01/2012)

State of West Virginia
VENDOR PREFERENCE CERTIFICATE

Certification and application¹ is hereby made for Preference in accordance with *West Virginia Code*, §5A-3-37. (Does not apply to construction contracts). *West Virginia Code*, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the *West Virginia Code*. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Resident Vendor Preference, if applicable.

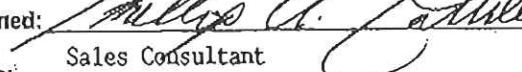
1. Application is made for 2.5% resident vendor preference for the reason checked:
 Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this certification; or,
 Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or 80% of the ownership interest of Bidder is held by another individual, partnership, association or corporation resident vendor who has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or,
 Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; or,
2. Application is made for 2.5% resident vendor preference for the reason checked:
 Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,
3. Application is made for 2.5% resident vendor preference for the reason checked:
 Bidder is a nonresident vendor employing a minimum of one hundred state residents or is a nonresident vendor with an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia employing a minimum of one hundred state residents who certifies that, during the life of the contract, on average at least 75% of the employees or Bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,
4. Application is made for 5% resident vendor preference for the reason checked:
 Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or,
5. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:
 Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or,
6. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:
 Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.
7. Application is made for preference as a non-resident small, women- and minority-owned business, in accordance with *West Virginia Code* §5A-3-59 and *West Virginia Code of State Rules*.
 Bidder has been or expects to be approved prior to contract award by the Purchasing Division as a certified small, women- and minority-owned business.

Bidder understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the requirements for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penalty against such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency or deducted from any unpaid balance on the contract or purchase order.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid the required business taxes, provided that such information does not contain the amounts of taxes paid nor any other information deemed by the Tax Commissioner to be confidential.

Under penalty of law for false swearing (*West Virginia Code*, §61-5-3), Bidder hereby certifies that this certificate is true and accurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate changes during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.

Bidder: Middletown Tractor Sales
 Date: 24 September 2012

Signed: 
 Title: Sales Consultant



Quote Id: 7175381

Customer: WV STATE ARMORY BOARD

Quote Summary

Prepared For:
WV STATE ARMORY BOARD
1707 COONSKIN DR
CHARLESTON, WV 25311
Business: 304-473-5280

Prepared By:
Phillip Cottrille
MIDDLETOWN TRACTOR
SALES
2050 Boyers Drive
FAIRMONT, WV 28554
Phone: 304-366-4690
phil@middletowntractor.com

Quote Id: 7175381
Created On: September 20, 2012
Last Modified On: September 20, 2012
Expiration Date: September 27, 2012

Equipment Summary	Selling Price	Qty	Extended
JOHN DEERE 1026R Tractor	\$ 10,092.37 X	1 =	\$ 10,092.37
JOHN DEERE 1028R Tractor	\$ 10,092.38 X	3 =	\$ 30,277.14
JOHN DEERE 80D 7-Iron Mid Mount Side Discharge Mower (For 1023E, 1026R Tractors)	\$ 1,809.14 X	4 =	\$ 7,238.56
JOHN DEERE 54 In. Quick-Hitch Front Blade (For X400/X500 HDGT's, X700's, 425-455, 1023E, 1026R, 2210, 2305, 2320, 2520, 2720, 4010, 4100, 4110 and 4115 Tractors)	\$ 1,155.24 X	4 =	\$ 4,620.96
Equipment Total			\$ 52,227.03

Quote Summary	
Equipment Total	\$ 52,227.03
SubTotal	\$ 52,227.03
Total	\$ 52,227.03
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 52,227.03

Salesperson : X _____

Accepted By : X _____

CONFIDENTIAL



Selling Equipment



Quote Id: 7175381

Customer: WV STATE ARMORY BOARD

JOHN DEERE 1026R Tractor				
Hours:				
Stock Number:				
Code	Description	Qty	Unit	Selling Price Extended
1420LV	1026R Tractor	1	\$ 12,847.00	\$ 12,847.00
4400	18X8.50-10 4PR Front R4 Ind Bias 26X12-12 4PR Rear R4 Ind Bias	1	\$ 0.00	\$ 0.00
Standard Options Total				\$ 0.00
	Setup	1	\$ 65.00	\$ 65.00
	Delivery	1	\$ 100.00	\$ 100.00
Other Charges Total				\$ 165.00
Suggested Price				\$ 13,012.00
Customer Discounts Total			\$ -2,919.63	\$ -2,919.63
Total Selling Price				\$ 10,092.37

JOHN DEERE 1026R Tractor				
Hours:				
Stock Number:				
Code	Description	Qty	Unit	Selling Price Extended
1420LV	1026R Tractor	3	\$ 12,847.00	\$ 38,541.00
4400	18X8.50-10 4PR Front R4 Ind Bias 26X12-12 4PR Rear R4 Ind Bias	3	\$ 0.00	\$ 0.00
Standard Options Total				\$ 0.00
	Setup	3	\$ 65.00	\$ 195.00
	Delivery	3	\$ 100.00	\$ 300.00
Other Charges Total				\$ 495.00
Suggested Price				\$ 39,036.00
Customer Discounts Total			\$ -2,919.62	\$ -8,758.86
Total Selling Price				\$ 30,277.14



Selling Equipment



Quote Id: 7175381

Customer: WV STATE ARMORY BOARD

JOHN DEERE 60D 7-Iron Mid Mount Side Discharge Mower (For 1023E, 1026R Tractors)

Hours:

Stock Number:

Code	Description	Qty	Unit	Selling Price Extended
				\$ 1,809.14
5320M	60D 7-Iron Mid Mount Side Discharge Mower (For 1023E, 1026R Tractors)	4	\$ 2,300.00	\$ 9,200.00
1000	Attaching Parts 1023E, 1026R Tractors (Mechanical Mower Lift)	4	\$ 0.00	\$ 0.00
2000	Manual PTO Connection	4	\$ 0.00	\$ 0.00
Standard Options Total				\$ 0.00
	Setup	4	\$ 32.50	\$ 130.00
Other Charges Total				\$ 130.00
Suggested Price				\$ 9,330.00
Customer Discounts Total			\$ -523.36	\$ -2,093.44
Total Selling Price				\$ 7,236.56

JOHN DEERE 54 In. Quick-Hitch Front Blade (For X400/X500 HDGT's, X700's, 425-455, 1023E, 1026R, 2210, 2305, 2320, 2520, 2720, 4010, 4100, 4110 and 4115 Tractors)

Hours:

Stock Number:

Code	Description	Qty	Unit	Selling Price Extended
				\$ 1,155.24
1491M	54 In. Quick-Hitch Front Blade (For X400/X500 HDGT's, X700's, 425-455, 1023E, 1026R, 2210, 2305, 2320, 2520, 2720, 4010, 4100, 4110 and 4115 Tractors)	4	\$ 515.00	\$ 2,060.00
1008	Front Quick-Hitch and Hydraulic Lift (1023E, 1026R)	4	\$ 678.00	\$ 2,712.00
2007	Hydraulic Angling (1023E, 1026R)	4	\$ 184.00	\$ 736.00

CONFIDENTIAL



Selling Equipment



Quote Id: 7175381

Customer: WV STATE ARMORY BOARD

Standard Options Total			\$ 3,448.00
LVB26046	Front Attaching Support Kit (1023E, 1028R)	4	\$ 248.00
Dealer Attachments Total			\$ 248.00
	Setup	4	\$ 130.00
Other Charges Total			\$ 130.00
Suggested Price			\$ 5,886.00
Customer Discounts Total			\$ -316.26
Total Selling Price			\$ 4,620.96

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